

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

The disclosure has been objected to for informalities. Accordingly, the specification has been amended as appropriate to obviate the objection.

Claim 11 has been rejected under 35 U.S.C. 112, second paragraph as being indefinite. The claim has been amended appropriately and thus the rejection is now moot.

Claims 1, 2, 8-11 and 14-18 have been rejected under 35 U.S.C. 102(b) over U.S. Patent No. 3,875,885 to Balquet et al. (hereinafter "Balquet"). To better distinguish over Balquet, claims 8, 9 and 14-17 have been amended herein to specify that the gas in the gaseous space is substantially at atmospheric pressure. Thus, for the following reasons, Claims 1, 2, 8-11 and 14-18 are patentable over the prior art of record.

Regarding each of claims 8, 9 and 14-17, Balquet does not teach having gas in a gaseous space being substantially at *atmospheric pressure*; a negative pressure region in water having a *lower pressure relative to the gaseous space*; and directing gas from the gaseous space to the negative pressure region, as substantially required. Balquet discloses supplying *pressurized* air from a source of pressurized gas (12) to nozzles (16, 41) that inject the air into the water (20). Thus, the air/gas of Balquet is pressurized, rather than substantially at atmospheric pressure, as in the present invention as claimed.

Appl. No. 09/822,942  
Amdt. Dated June 23, 2003  
Reply to Office action of January 21, 2003

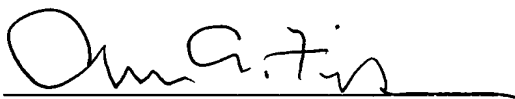
Therefore, since every limitation of the claims is not taught by Balquet, claims 8, 9 and 14-17 and dependent claims 10, 11 and 18 are patentable over the prior art of record.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33463.

Respectfully submitted,

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